
UNITED STATES CIRCUIT COURT OF APPEALS

FOR THE NINTH CIRCUIT

THE UNITED STATES OF AMERICA,

Appellant,

No. 2209

vs.

William F. Kettenbach, George H. Kester,
Clarence W. Robnett, William Dwyer, and
Frank W. Kettenbach,

Appellees.

THE UNITED STATES OF AMERICA,

Appellant,

No. 2210

vs.

William F. Kettenbach, George H. Kester,
Clarence W. Robnett, William Dwyer, The
Idaho Trust Company, a Corporation, The
Lewiston National Bank, a Corporation, The
Clearwater Timber Company, a Corporation,
Elizabeth W. Thatcher, Curtis Thatcher, Eliza-
beth White, Edna P. Kester, Elizabeth Ketten-
bach, Martha E. Halleff, and Kitty E. Dwyer,

Appellees.

THE UNITED STATES OF AMERICA,

Appellant,

No. 2211

vs.

William F. Kettenbach, George H. Kester, and
William Dwyer,

Appellees.

Copies of Pardons Granted July 14, 1913, of Kettenbach and
Kester, absolute and unconditional, before imprisonment,
presented because of references in Govt. Brief pp. 15 and
18 and elsewhere and reply Brief, pp. 1-3.

GEORGE W. TANNAHILL,

Lewiston, Idaho,

Solicitor for Appellees.

PEYTON GORDON,

Solicitor for Appellant.

FILED

AUG 4 - 1913

Appeals from the District Court of the United States for the
District of Idaho, Central Division.

Nos. 2209, 2210, and 2211.

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Solicitor for Appellees.

PEYTON GORDON,

Solicitor for Appellant.

Appeals from the District Court of the United States for the
District of Idaho, Central Division.

Woodrow Wilson

President of the United States of America

To all to whom these presents shall come, Greeting:

Whereas,

William F. Kettenbach was convicted in the United States District Court for the District of Idaho of aiding and abetting the Cashier of the Lewiston National Bank, of Lewiston, Idaho, in making false entries in reports to the Comptroller of the Currency, and on April fourth, 1911, was sentenced to imprisonment for five years in the United States Penitentiary at Leavenworth, Kansas; and

Whereas the case was taken to the Circuit Court of Appeals, Ninth Circuit, which Court affirmed the judgment of the District Court, and a motion for re-hearing was denied, February twenty-fourth, 1913; and,

Whereas, an application for a writ of certiorari was denied by the Supreme Court, April twenty-first, 1913; and,

Whereas, the issuance of the mittimus has been delayed, pending the result of an application for pardon; and,

Whereas, it has been made to appear to me that the said William F. Kettenbach is a fit object of executive clemency:

Now, therefore, be it known, that I,

Woodrow Wilson, *President of the United States of America, in consideration of the premises, divers other good and sufficient reasons me thereunto moving, do hereby grant*

unto the said William F. Kettenbach a full and unconditional pardon.

In testimony whereof I have hereunto signed my name and caused the seal of the Department of Justice to be affixed.

Done at the city of Washington this
fourteenth day of July, in the year of our
Lord One Thousand Nite Hundred and
Thirteen, and of the Independence of the
United States the One Hundred and
thirty-eighth.

(SEAL OF DEPT.
JUSTICE.)

Woodrow Wilson

By the President:

J. C. McReynolds,

Attorney General.

Woodrow Wilson
President of the United States of America

To all to whom these presents shall come, Greeting:

Whereas,

George H. Kester, formerly Cashier of the Lewiston National Bank, of Lewiston, Idaho, was convicted in the United States District Court for the District of Idaho of making false entries in reports to the Comptroller of the Currency, and on April fourth, 1911, was sentenced to imprisonment for five years in the United States Penitentiary at Leavenworth, Kansas; and,

Whereas the case was taken to the Circuit Court of Appeals, Ninth Circuit, which Court affirmed the judgment of the District Court, and a motion for re-hearing was denied, February twenty-fourth, 1913; and,

Whereas, an application for a writ of certiorari was denied by the Supreme Court, April twenty-first, 1913; and,

Whereas, the issuance of the mittimus has been delayed, pending the result of an application for pardon; and,

Whereas, it has been made to appear to me that the said George H. Kester is a fit object of executive clemency:

Now, therefore, be it known, that I,

Woodrow Wilson, *President of the United States of America, in consideration of the premises, divers other good and sufficient reasons me thereunto moving, do hereby*

grant unto the said George H. Kester a full and unconditional pardon.

In testimony whereof I have hereunto signed my name and caused the seal of the Department of Justice to be affixed.

Done at the city of Washington this
fourteenth day of July, in the year of our
Lord One Thousand Nite Hundred and
(SEAL OF DEPT. Thirteen, and of the Independence of the
JUSTICE.) United States the One Hundred and
thirty-eighth.

Woodrow Wilson

By the President:

J.C. McReynolds,

Attorney General.

State of Idaho, }
County of Nez Perce, }ss.

George W. Tannahill being duly sworn on oath says:
That he is solicitor and counsel in above entitled cases; that
the foregoing are true copies of the original Pardons granted
to Wm. F. Kettenbach and George H. Kester, the originals
bearing the signature of the President and Attorney General and
the seal of the Department of Justice.

GEORGE W. TANNAHILL.

Subscribed and sworn to before me this 30th day of July,
1913.

(Notarial Seal)

HENRY S. GRAY,

Notary Public.

AFFIDAVIT OF SERVICE BY MAIL OF COPIES OF
PARDONS GRANTED JULY 14, 1913, OF KET-
TENBACH AND KESTER.

State of Idaho , }
 } ss.
County of Nez Perce. }

George W. Tannahill, being first duly sworn, on oath says that he sealed a full, true and correct copy of foregoing copies of Pardons granted July 14, 1913, of Kettenbach and Kester, in an envelope and legibly addresssed the same thus, "Peyton Gordon, care of Department of Justice of United States, Washington, D. C.," and stamped thereon sufficient United States postage stamps to entitle it to delivery by United States mail, and deposited the same on the 31st day of July, 1913, in United States Postoffice, in the City of Lewiston, Idaho, said Gordon being an attorney of record in the above entitled causes, and said address being the last known address of said Gordon known to affiant.

Affiant further says that he sealed a full, true and correct copy of said annexed and foregoing copies of Pardons granted July 14, 1913, of Kettenbach and Kester, in an envelope and legibly addressed the same thus: "J. C. McReynolds, Attorney General, care of Department of Justice of United States, Washington, D. C." and stamped thereon sufficient United States postage stamps to entitle it to delivery by United States Mail, and deposited the same on the 31st day of July, 1913, in United States Postoffice, in the City of Lewiston, Idaho, said address being then correct and said J. C. McReynolds then being the Attorney General of the United States and by virtue of said office then being Solicitor for the above named Appallant, The United States of America, in said causes, and then having an office in said Department of Justice.

GEORGE W. TANNAHILL.

Subscribed and sworn to before me this 31st day of July, A. D., 1913.

(Seal)

HENRY S. GRAY,
Notary Public.